

ACT# 2009- 577

1 HB361
2 107347-3
3 By Representative Martin
4 RFD: Public Safety
5 First Read: 03-FEB-09



ENROLLED, An Act,

Relating to motor vehicles; to require the driver of a motor vehicle to move over when approaching a law enforcement vehicle, an emergency vehicle, or wrecker under certain conditions on a four-lane highway or slow down or to slow down on a two-lane road; to provide for penalties; to provide for a public awareness program; to repeal Section 32-5A-58.1, Code of Alabama 1975; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known as the "Alabama Move Over Act."

Section 2. (a) When an authorized law enforcement vehicle or emergency vehicle making use of any visual signals is parked, or a wrecker displaying amber rotating or flashing lights is performing a recovery or loading on the roadside, the driver of every other vehicle, as soon as it is safe, shall do the following:

(1) When driving on an interstate highway or other highway with two or more lanes traveling in the direction of

1 the law enforcement vehicle, emergency vehicle, or wrecker,
2 the driver shall vacate the lane closest to the emergency
3 vehicle or wrecker unless otherwise directed by a law
4 enforcement officer. If not safe to move over, the driver
5 shall slow to a speed that is at least 15 miles per hour less
6 than the posted speed limit unless otherwise directed by a law
7 enforcement officer.

8 (2) When driving on a two-lane road, the driver
9 shall move as far away from the emergency vehicle as possible
10 within his or her lane and slow to a speed that is 15 miles
11 per hour less than the posted speed limit when the posted
12 speed limit is 25 miles per hour or greater or travel at 10
13 miles per hour when the posted speed limit is 20 miles per
14 hour or less, unless otherwise directed by a law enforcement
15 officer.

16 (b) A violation of this section is a misdemeanor
17 punishable by a fine of twenty-five dollars (\$25). Upon a
18 second violation of this section, the fine shall be fifty
19 dollars (\$50). Upon a third or subsequent violation, the fine
20 shall be one hundred dollars (\$100).

21 Section 3. (a) The Department of Public Safety shall
22 provide an educational awareness campaign informing the
23 motoring public about this act. The department shall provide
24 information about this act in all newly printed driver's
25 license educational materials after January 1, ~~2008~~ 2010.

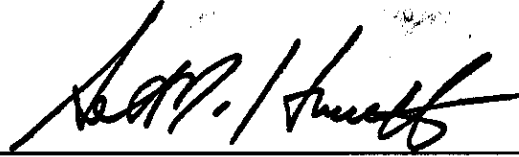
1 (b) This act shall not relieve the driver of an
2 authorized emergency vehicle from the duty to drive with due
3 regard for the safety of all persons using the highway.

4 (c) Notwithstanding the provisions of Section 2,
5 this act shall be enforced by a warning citation for six
6 months after the effective date of this act.

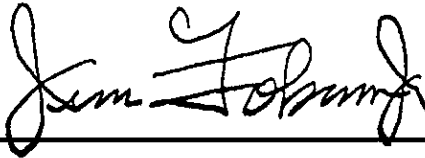
7 Section 4. All laws or parts of laws which conflict
8 with this act are repealed. Section 32-5A-58.1, Code of
9 Alabama 1975, is expressly repealed.

10 Section 5. Although this bill would have as its
11 purpose or effect the requirement of a new or increased
12 expenditure of local funds, the bill is excluded from further
13 requirements and application under Amendment 621, now
14 appearing as Section 111.05 of the Official ReCompilation of
15 the Constitution of Alabama of 1901, as amended, because the
16 bill defines a new crime or amends the definition of an
17 existing crime.

18 Section 6. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.



Speaker of the House of Representatives



President and Presiding Officer of the Senate

House of Representatives

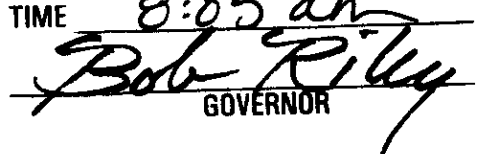
I hereby certify that the within Act originated in
and was passed by the House 03-MAR-09, as amended.

Greg Pappas
Clerk

Senate

14-MAY-09

Passed

APPROVED May 20, 2009
TIME 8:05 am

GOVERNOR

Alabama Secretary Of State

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